

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

CHRISTA C. WARREN-WARD,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 1:07cv811-TFM
)	
MICHAEL J. ASTRUE,)	
COMMISSIONER OF SOCIAL SECURITY,)	
)	
Defendant.)	

ORDER

This case is now before the Court on the *Plaintiff's Petition for Attorney Fees* (Doc. #23, filed September 2, 2008), pursuant to the Equal Access to Justice Act (EAJA). Judgment in this case was entered in favor of plaintiff upon remand pursuant to sentence four of 42 U.S.C. § 405(g) (Doc. #22, entered June 10, 2008). *Defendant's Response to Plaintiff's Motion*, (Doc. #25, filed September 5, 2008), agrees to pay \$4,557.04 under EAJA, and to reimburse the \$350.00 filing fee from the Judgment Fund. Defendant further agrees to issue payment to counsel as assignee, but cautions the assignment will not prevent the United States Department of Treasury from applying the EAJA payment to offset any debt owed by Plaintiff in accordance with 31 C.F.R. § 285.5(e)(6)(ii).

Upon review, the Court determines that the Plaintiff's application for an award of attorney fees and costs under EAJA is timely filed, that Plaintiff has met the requisite prevailing party status entitling him to an award of fees, and that the terms of the award agreed upon by the parties are reasonable.

Accordingly, it is the ORDER, JUDGMENT, and DECREE of this Court that the Plaintiff's application for an award of fees under the Equal Access to Justice Act is GRANTED in the total amount of \$4557.04, and said payment should be issued directly to Plaintiff's attorney. Further, Plaintiff shall be reimbursed for the \$350.00 filing fee, to be paid from the Judgment Fund.

Done this 5th day of September, 2008.

/s/Terry F. Moorner
TERRY F. MOORER
UNITED STATES MAGISTRATE JUDGE